

DIVISION

Dep & Ref
Room #307
cc

2005 FEB 11 PM 2:33

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Atty.Docket: LOY=5
Irit LOY et al)	Confirmation No.: 5751
Appln. No.: 09/887,520)	Washington, D.C.
Filed: June 25, 2001)	
Date Allowed: October 13, 2004)	
For: DATA MANAGEMENT)	February 8, 2005
APPLICATION PROGRAMMING...)	
In re DEPOSIT ACCOUNT NO.)	Attn: Mr. David Antolini
02-4035)	Mr. Dale Hughes
)	<u>REFUND SECTION</u>
)	Crystal Park One
)	Room 800

REQUEST FOR REFUND

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

Undersigned is in receipt of the "Monthly Statement of Deposit Account" dated August 2004, copy attached, which shows an erroneous charge (Seq. No. 2) to our Deposit Account No. 02-4035 in the amount of \$110.00 (Fee Code 1251) for application Serial No. 09/887,520. This fee was erroneously charged to our account. An Office Action had issued on March 30, 2004. An RCE was filed on August 30, 2004, accompanied by credit card payment (of which a copy of the transmittal and credit form is enclosed). That fee included the fee for a two-month extension.

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In any event, between March 30, 2004, the date of the Office Action, and August 4, 2004, the date the charge was made to our deposit account, no paper requiring an extension fee was filed.

A refund is therefore requested in the amount of **\$110.00,** to be credited to Deposit Account No. 02-4035.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By



Jay M. Finkelstein
Registration No. 21,082

JMF:dtb

Telephone No.: (202) 628-5197

Facsimile No.: (202) 737-3528

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United States
Patent and
Trademark Office

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Deposit Account Statement

Requested Statement Month:

August 2004

Deposit Account Number:

024035

Name:

BROWDY AND NEIMARK

Attention:

PATRICIA MCINN

Address:

624 NINTH STREET, N.W.

City:

WASHINGTON

State:

DC

Zip:

20001-5303

DATE	SEQ	POSTING REF	ATTORNEY DOCKET NBR	FEES CODE	AMT	BAL
08/02	252	60491995	FUERY1	8007 BLAJ	\$20.00	\$10,21
08/02	480	60499005	STEINBERG5	8007 VLS	\$20.00	\$10,19
08/02	483	60056000		8007	\$20.00	\$10,17
08/02	484	60081265		8007	\$20.00	\$10,15
08/04	2	09887520	LOY=5	1251 CULB	\$110.00	\$10,04
08/04	28	10189576	ONUKITA AYAMA	1801	\$770.00	\$9,270
08/04	29	10189576	ONUKI 1AK TANABE	1202	\$90.00	\$9,180
08/04	325	60491527	LAURSEN1	8007 HOIB	\$20.00	\$9,160
08/05	5	10490099	NORDENHEM1	2616(BRAN)	\$145.00	\$9,015
08/05	6	10473721	SHECHTERS	2253 BEN	\$475.00	\$8,540
08/05	86	09765644	EIS-SCHWARTZ	2252 BEN	\$5.00	\$8,535
08/05	296	60334962	WILCHEK7.3	8007 VEDB	\$20.00	\$8,515
08/05	303	60483899	FRESKGARD5	8007 HOIB	\$20.00	\$8,495
08/06	40	60499388	KHALIL1	1807 COHN	\$50.00	\$8,445
08/12	3	09920295	KREINDEL=2	1201 COHN	\$84.00	\$8,361
08/13	3	10110317	BREUR=1	2252 COHN	\$210.00	\$8,151
08/16	25	10677777	Torey 5A	2001 DRAC	\$375.00	\$7,776
08/16	200	60491996	AGRANAT1	8007 VLS	\$20.00	\$7,756
08/17	8	10620621	MOZES=2A	1203 BEN	\$290.00	\$7,466
08/17	9	10620621	MOZES=2A	1202	\$18.00	\$7,448
08/18	1	10490100	MATHYS1	1616	\$290.00	\$7,158
08/18	2	09914771	JENSEN=7	2202 INTL	\$9.00	\$7,149
08/18	86	10482032	ROMERO-BELTRAN1	2615 RECE	-\$90.00	\$7,239
08/19	8	E-REPLENISHMENT		9203	-\$10,000.00	\$17,23
08/19	40	10798502	PARALE	8011 COHN	\$55.00	\$17.18
08/19	238	60499389	NASLUND1	8007 BEN	\$20.00	\$17,16
08/20	3	09832618	10417-077001	2251	-\$55.00	\$17,21
08/20	167	76564714	LAMDEX1	8507 MAK	\$30.00	\$17,18

1051-1st m. ext

TYPE
COPY

FEB 08 2005

PTO/SB/30 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**Request
For
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450A

Application Number	09/887,520
Filing Date	June 25, 2001
First Named Inventor	Irit LOY
Group Art Unit	2171
Examiner Name	E.P. Leroux
Attorney Docket Number	LOY=5

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to USPTO) on page 2.

1. Submission required under 37 C.F.R. § 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. Other _____

b. Enclosed

i. Amendment/Reply

ii. Affidavit(s)/Declaration(s)

iii. Information Disclosure Statement (IDS)

iv. Other _____

2. Miscellaneous

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required).

b. Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when RCE is filed.

a. The director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-4035.

i. RCE fee required under 37 CFR 1.17(e)

ii. Extension of time fee (37 CFR 1.136 and 1.17) (\$ _____ already paid for _____ month(s) extension of time on _____)

iii. Other _____

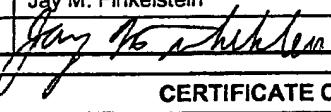
b. Check in the amount of \$ _____ enclosed (Check No. _____)

c. Credit card (Form PTO-2038 enclosed) authorized in the amount of \$ 1,190.00

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

d. Provisional extension of time if needed. Applicants authorize any charge of additional fees (except issue fee) which may be required in connection with this application to Deposit Account No. 02-4035.

SIGNATURE OF APPLICANT, ATTORNEY, AGENT REQUIRED

Name (Print/Type)	Jay M. Finkelstein	Registration No. (Attorney/Agent)	21,082
Signature		Date	August 30, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Registration No. (Attorney/Agent)
Signature	Date

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

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In Re Application of: *JUL 15 2004* *LOY et al.*

Appln. No. 08/867,520

Date Filed: June 25, 2001

For: DATA MANAGEMENT APPLICATION PROGRAMMING...

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Mail Stop Amendment
2011 South Clark Place
Crystal Plaza Two, Lobby, Room 1803
Arlington, Virginia 22202

Sir:

Transmitted herewith is a **[X] AMENDMENT** in the above-identified application.

Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted

Applicant claims small entity status. See 37 C.F.R. §1.27.

[POQ] No fee is required.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT	(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA EQUALS
TOTAL	•	MINUS	** 20
INDEP.	•	MINUS	*** 3

FIRST PRESENTATION OF MULTIPLE DEP. CLAIM

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
x 9	\$		x 18	\$
x 43	\$		x 86	\$
+ 145	\$		+ 290	\$
ADDITIONAL FEE TOTAL		OR	TOTAL	

- If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[POQ] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below.

Small Entity

Response Filed Within

- First - \$ 55.00
- Second - \$ 210.00
- Third - \$ 476.00
- Fourth - \$ 740.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- First - \$ 110.00
- Second - \$ 420.00
- Third - \$ 950.00
- Fourth - \$ 1480.00

Month After Time Period Set

Less fees (\$_____) already paid for ____ month(s) extension of time on _____.

Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$_____.

[POQ] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any extension of time fees not covered by check or special authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.18 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.14-00 DA

01 FC:1251 110.00 DA

Faximile: (202) 737-3528
Telephone: (202) 628-5197

Adjustment Date: 03/31/2005 SDIRETA1
08/04/2004 WNEREDIT 00000002 024035 09887520
01 FC:1251 110.00 CR

By: *Jay M. Finkelman*
BROWDY AND NEIMARK

Attorneys for Applicant(s)

Jay M. Finkelman
Registration No. 21,082

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JUL 19 2004
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